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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 2115/2015**

SUDHIR MISHRA

.....Petitioner

Through: Mr. Arvind Nayar, Sr. Advocate with Ms. Ritwika Nanda, Ms. Petal Chandhok, Mr. Saurav Baveja, Ms. Shivan Chaturvedi, Mr. Arjun Kant, Ms. Upasana Chandrasekaran, Mr. Savyasachi Rawat, Advocates

Versus

**MINISTRY OF HEALTH & FAMILY
WELFARE & ORS.**

..... Respondents

Through: Sh. Chetan Sharma, ASG with Mr. Vivek Goyal, CGSC, Mr. Amit Gupta, Adv. for UOI

Mr. Naushad Ahmed Khan, ASC, Civil, GNCTD for Forest Deptt.

Mr. Anil Grover, Sr. AAG of Haryana with Mr. Rahul Khurana, Mr. Satish Kumar, Advocates Mr. Sanjeev Ralli, Advocate with Mr. Atul Verma, Advocates for DPCC/respondent No.9

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **22.10.2020**

The proceedings in the matter have been conducted through video conferencing.

CM APPL.24096/2020(for direction)

1. This application has been preferred with the following prayers:

W.P.(C) 2115/2015

Page 1 of 3



*“(a) Direct the Respondents to use all measures to immediately force stop farmers from further burning of farm lands in the state of Punjab, Haryana and Uttar Pradesh in view of Covid-19 situation;
(b) Direct the respondents to send expert teams to the states of Punjab, Haryana and Uttar Pradesh for implementing effective measures to curb stubble burning;
(c) Pass any such further order/direction as this Hon’ble Court may deem fit and proper in the interest of justice.”*

2. Learned counsel appearing for the respondents submitted that, to deal with the issue raised in this application, a one-man Committee has already been constituted by the Hon’ble Supreme Court in W.P.(C) No.1135/2020 vide order dated 16.10.2020. The said writ petition is coming up before the Apex Court on 26.10.2020.

3. It is further submitted by the learned counsel appearing for the respondents that in the light of the aforesaid order and the constitution of the one-man Committee, this application may not be entertained.

4. In view of the aforesaid submission and looking to the order dated 16.10.2020 passed by the Hon’ble Supreme Court in W.P.(C) No.1135/2020, constituting the one-man committee comprising Hon’ble Mr. Justice (Retd.) Madan B. Lokur for looking into the issue of stubble burning in the surrounding States, the present application is not entertained, more particularly since the Apex Court is already seized of the matter. However, liberty is reserved with this applicant to move this Court again in case the necessity arises.



5. The application is disposed of accordingly.

CHIEF JUSTICE

PRATEEK JALAN, J

OCTOBER 22, 2020
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